IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 5362 of 2005

Between:

1 Sri Lakshmi Prassanna Chillies Prop. Marabathuni Venkata Rao S/o

Anjaneyulu, D.No. 25-13-21, 8th Line, Srinivasa Rao Thota, Guntur
2 Vijayalakshmi Chillies Traders, M.P.A. Sai Krishna S/o A. Hanumantha Rao
D. No. 21-3-32, 3rd Floor, S.K.P.T. Street, Main Road Guntur
3 Prasannanjeneya Chillies Trading Co., Partner, Kurra Sambi Reddy

S/o A. Koti Reddy, D. No. 24-3-120/A, Patanam Bazar, Guntur
4 Raghavendra Enterprises M.P. Tunuguntla Thirumala Rao, S/o Chakrapani

Gupta, D. No. 23-4-134/4, Hazarvari Street, Guntur
5 S.B & Co., Partner.K. Venkateswara Rao S/o Yellamanda,
D. No. 8-2-64, Butchaiah Thota, Guntur.
6 Siva Subrahmanyeswara Chillies Traders Partner, K.Venkata Siva Reddy

S/o Seethanarayana Reddy, D. No. 25-3-75, Adapa vari Street,

R. Agraharam, Guntur District
7 K.K. R. AGencies, Prop, K.L. Sarswathi W/o Venkata Rosaiah
D. No. I.K.K.R. Building, Chuttagunta, Guntur
8 United Spices Exports Partner SM. Ayazuddin S/o Kutubuddin,
D.No. 25-16-191/A, Subba Reddy nagar Guntur
9 Lakshmi Srinivas Traders Partner.S. Siva Nagar Lakshmi W/o S. Srinivasa

Rao , Guntur
10 Rajesh Traders, Partner; K. RAjesh
Flat No. 10, Golden Home, Jute Mill, Guntur
11 Aman Raja Traders MPD Haranata Reddy
D. No. 6-8-20,8/1, Arundal Peta, Guntur
12 Sri Chandra Sekhara Traders MP N Nageswara Rao

D. No. 20-12/10/A, Vellampati Complex, Vuravari Veedhi, Lalapeta, Guntur
13 M.S.R. Chillies Traders Guntur, Proprietor. M. Ashok Kumar,

D. No. 19-8-1A, 1st floor, Etukura road, Guntur
14 Bhivani Traders, Prop, K. Suryanarayana,
D. NO. 5-69-68, 6/19, Brodipeta, Guntur
15 Vijaya Kathik Traders, Prop. V. Vara Prasad Reddy
D. No. 24-3-89, Opp SRMT, Patanm Bazar, Guntur
16 Sevarchita Chillies Traders, M.P.P. Sambi Reddy S/o Venkateswara Reddy
D. No. 1/1, K.M.M. Complex, Prathipadu (V&M) Guntur
17 M/s. Sri Sainath Chillies Trading Company M.P.G. Malleswari

S/o P. Sankara Rao
D. NO. 24-3-106/A, Patanam Bazar, Guntur

18 Vijaya Sarathy Chillies, Prop, P.V. Siva Krishna S/o P. Sankara Rao
D. NO. 22-6-148/C/B, Tunuguntla Vari Street, Gunturu
19 Lakshmi Maheswari Traders, Prop. . Srinivasa Rao S/o Maheswara Rao
D.No. 4-131, Etukur (P), Guntur (M& District)
20 Venkata Karthik Traders, M.P.P. Siva Narendra Kumar S/o Venkateswarlulu
D.No. 21-4-15/C, Sangadi Gunta, Guntur
21 Sri Dhana lakshmi Trading Co., Prop., N. Mohan, S/o N. Venkat Rao
D. No. 23-12-66/B, Huzu Vari Street, Eluru Bazar, Guntur
22 Sri Venkata Ramana Chillies Traders, Prop. A. Thirumala Reddy

S/o Koti Reddy, D. NO. 24-2-19B, Chaparala Vari Street, Guntur
23 Sri Gopi Krishna Chillies Trading Co., Prop. G. Venkata Reddy Guntur
24 Sri Lakshmi Srinivasa Traders, Prop., M. Naga Raju S/o Surya Baskara Rao
D.No. 3-4, Budam Pdu (V&P), Guntur Rural Mandal, Guntur
25 Vijaya Sri Krishna Trading MPT Raja Sekhar Reddy
D. No. 24-2-81/1, Chaparala Vari Street, Patnam Bazar, Guntur

..... PETITIONERS

AND

1 The Agricultural Market Committee, Guntur, rep by Person-in-Charge,

Chilakaluripeta Road, Guntur
2 The Agricultural Market Committee, Guntur, rep by Secrtary, Chilakaluripeta

Road, Guntur

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents to consider the applications of the petitioners and grant licenses to the petitioners under Section 7(1) of the A.P. Agricultural Produce and Live Stock) Market Act, 1966 to carry on their business in chilies and commission agent in the notified market area, in particular chilies market yard of Agricultural Market committee, Guntur pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MRS.CHANDANA MADALA

Counsel for the Respondent Nos.1 and 2: Mr.K.Madhava Reddy, S.C. for Agrl. Market Committee

The Court made the following at the admission stage :

ORDER:

Heard the learned counsel for the petitioners as well as the learned Standing Counsel for the respondents.

The petitioners seek to writ of mandamus directing the respondents to consider their applications for grant of licences under Section 7(1) of the A.P. (Agricultural Produce and Livestock) Markets Act, 1966 to carry on their business in chillies as commission agents in the notified market area particularly in the chillies market yard of Agricultural Market Committee, Guntur.

The petitioners submit that each of the petitioner has filed applications on different dates before the Person-in-charge of the Agricultural Market Committee, Guntur, along with pay orders with requisite amount in favour of the Secretary, Agricultural Market Committee along with National Savings Certificates, self solving surety bonds and registration certificate obtained from Commercial Tax Department, for issuing commission agent licences for 2005-2009. It is stated that the said applications have been received by the

Person-in-charge, but no orders have been passed.

The learned Standing Counsel for the respondents submits that if the applications are filed in proper form addressed to the Person-in-charge they have to be considered and disposed of within 45 days as per Rule 48(5) of the A.P. (Agricultural Produce and Livestock) Market Rules, 1969.

Having regard to the facts and circumstances of the case, the writ petition is, accordingly, disposed of directing the first respondent to consider and dispose of the said applications if they are filed properly within two weeks from the date of receipt of this order. No order as to costs.

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(V.ESWARAIAH, J.)

29.4.2005

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To

1 The Agricultural Market Committee, Guntur, rep by Person-in-Charge,

Chilakaluripeta Road, Guntur
2 The Agricultural Market Committee, Guntur, rep by Secrtary, Chilakaluripeta

Road, Guntur

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